

Release  
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## **SUMMARY OF CASES ACCEPTED DURING THE WEEK OF MARCH 29, 1999**

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The description or descriptions set out below do not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#99-46 People v. Cromer, S076444. (B120692.) Unpublished opinion. Petition for review after the Court of Appeal affirmed in part and reversed in part a judgment of conviction of criminal offenses. The court specified for review issues concerning 1) whether a trial court's determination that the People exercised "due diligence" in attempting to obtain the presence of a witness at trial, in order to permit admission of the prior testimony of an unavailable witness, is reviewed on appeal under an independent review standard or an abuse of discretion standard, and 2) whether the People exercised "due diligence" to obtain the presence of the witness in this case

#99-47 Peatros v. Bank of America, S076454. (B116465; 68 Cal.App.4th 1284.) Petition for review after the Court of Appeal affirmed the summary judgment in a civil action. Petition for review after the Court of Appeal reversed a summary judgment in a civil action. This case presents an issue, concerning whether a national bank officer's Fair Employment and Housing Act action for employment discrimination is preempted by the National Bank Act, which is related to an issue before the court in Lavelle v. BankAmerica Corp, S074192. (See #99-10.)